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JUL 24 2000  
TC 2700 MAIL ROOM

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John G. Aceti, Marvin A. Leedom, Frederick Fritz, Derek D. Mahoney, John M. Margicin, Walter P. Sjursen, Michael H. Tardugno and David A. Preves

Application No.: 09/524,666 Group Art Unit: 2743

Filed: March 13, 2000 Examiner: Not Assigned

Title: DISPOSABLE MODULAR HEARING AID

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on	<u>7-13-00</u>
Date	<u>Donna Bartolone</u>
Signature	
<u>Donna Bartolone</u>	
Typed or printed name of person signing certificate	

INFORMATION DISCLOSURE STATEMENT

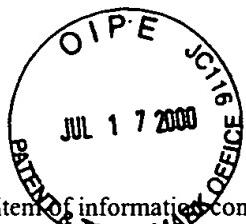
Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted:

- under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)
- under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of the national stage in international application; or before mailing date of first office action on the merits; whichever occurs last)
- under 37 CFR 1.97(c) together with either:
  - a Statement under 37 CFR 1.97(e), as checked below, or
  - a \$240.00 fee under 37 CFR 1.17(p), or  
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- under 37 CFR 1.97(d) together with:
  - a Statement under 37 CFR 1.97(e), as checked below, and
  - a Petition under 37 CFR 1.97(d)(2), and
  - a \$130.00 petition fee set forth in 37 CFR 1.17(i).  
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)
- Applicant requests that the attached IDS and cited reference(s) [ ] be placed in the application filewrapper.  
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- [ ] Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- [ ] No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Enclosed herewith is form PTO-1449:

- [ X ] Copies of the cited references are enclosed.
- [ ] Copies of cited references are enclosed except those entered in prior application, U.S. Serial No. [ ], and references that are not required to be submitted under 37 CFR 1.98.
- [ ] The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

Concise Explanation Requirement (non-English references):

- [ ] The "concise explanation" requirement for reference(s) [ ] under 37 CFR 1.98(a)(3) is satisfied by:
- [ ] the explanation provided on the attached sheet.
  - [ ] the explanation provided in the Specification.
  - [ ] submission of the enclosed International Search Report.
  - [ ] the enclosed English language abstract.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- [ ] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- [ ] Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.
- [X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By \_\_\_\_\_  
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JUL 24 2000  
TC 2700 MAIL ROOM

Lexington, Massachusetts 02421-4799

Dated: July 13, 2000

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION2000-1000 000  
(SMI13459pA)

000-0000,000

July 13, 2000

JUL 17 2000

## APPLICANT

John G. Aceti, et al.

(Use several sheets if necessary)

PATENT &amp; TRADEMARK OFFICE

FILING DATE  
March 13, 2000GROUP  
2743

## U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	3,527,901	09-08-70	R.L. Geib	179	107	
	AB	3,598,928	08-10-71	Hickox	179	107 E	
	AC	3,852,540	12-3-74	Diethelm	179	107 E	
	AD	4,716,985	01-05-88	Haertl	181	130	
	AE	4,800,636	01-31-89	Topholm	29	169.5	
	AF	4,815,138	03-21-89	Diethelm	381	69.2	
	AG	4,870,688	09-26-89	Voroba, et al.	381	60	
	AH	4,969,534	11-13-90	Kolpe, et al.	181	130	
	AI	5,002,151	03-26-91	Oliveira, et al.	181	130	
	AJ	5,008,943	04-16-91	Arndt, et al.	381	68.6	
	AK	5,185,802	02-09-93	Stanton	381	68.6	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	AL						
	AM						
	AN						
	AO						
	AP						
	AQ						

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	Killion, M., "Earmold Plumbing for Wideband Hearing Aids," Paper CC4, 91 <sup>st</sup> Meeting of Acoustical Society of America (April 8, 1976).
AS	Killion, M., "Earmold Options for Wideband Hearing Aids," Journal of Speech and Hearing Disorders, pp.10-20 (1981, February).
AT	"SoundChoice Hearing Aids & The PAC System," Bausch & Lomb (1990).
AU	"Introducing Sound choice Ultrasoft III from Bausch and Lomb," Bausch and Lomb (1991).

EXAMINER

DATE CONSIDERED

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PC 2700

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**

(SMI-13459pA)

## IN AN APPLICATION

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**APPLICANT**

John G. Aceti, et al.

(Use several sheets if necessary)

**FILING DATE**

March 13, 2000

**GROUP**

2743

U. S. PATENT DOCUMENTS

EXAM- INER INI- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA2	5,347,584	09-13-94	Narisawa	381	69.2	
	AB2	5,701,348	12-23-97	Shennib, et al.	381	68.6	
	AC2	5,881,159	03-09-99	Aceti, et al.	381	328	
	AD2	5,987,146	11-16-99	Pluvinage, et al.	381	328	
	AE2	6,022,311	02-08-00	Juneau, et al.	600	25	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES      NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

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**EXAMINER**

**DATE CONSIDERED**